



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/826,853	04/16/2004	Thomas P. Foran	EMP-133US	2086
24314	7590	02/10/2006	EXAMINER	
JANSSON, SHUPE, MUNGER & ANTARAMIAN, LTD			SMITH, RICHARD A	
245 MAIN STREET			ART UNIT	
RACINE, WI 53403			PAPER NUMBER	
			2859	

DATE MAILED: 02/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Interview Summary</b>	Application No.	Applicant(s)	
	10/826,853	FORAN, THOMAS P.	
	Examiner	Art Unit	
	R. Alexander Smith	2859	

All participants (applicant, applicant's representative, PTO personnel):

(1) R. Alexander Smith. (3) \_\_\_\_\_.

(2) Rick White. (4) \_\_\_\_\_.

Date of Interview: 07 February 2006.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.  
If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: 8,9,12,14-16,19 and 21-23.

Identification of prior art discussed: Keller, Vouilot and Szumer.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.



**RICHARD SMITH**  
**PRIMARY EXAMINER**

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Discussed the proposed amended and new claims with respect to Keller in view of Vouillot and Szumer. In particular Vouillot discloses details, mostly drawn to plates and limiting contact surface between the injected substance and the vial, that may potentially overcome the applied rejection. The examiner requested that the Applicant provide the arguments in writing which address these details and their relationship to and affect on the applied rejection. The examiner will consider the persuasive of the arguments after a more thorough examination of the applied rejection, the references, and the arguments presented. In either case, the examiner indicated that the proposed amended and new claims will be subject to further search and/or consideration.